

APPLICATION FOR PERMISSION TO CHANGE POINT OF
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office FEB 25 1999
Returned to applicant for correction MAR 12 1999
Corrected application filed _____
Map filed APR 19 1999

The applicant **Sierra Pacific Power Company**, hereby makes application for permission to change the **Point of Diversion, Place and Manner Of Use of portions** of water heretofore appropriated under **Permit 11489, Certificate 4827** (which changed the point of diversion from South Side canal to Lake Ditch, Claim 251 and 252 and Cochran Ditch, Claim 455 for Truckee River Decree, said Decree entitled "The United States of America Plaintiff vs. Orr Water ditch Company, et. al., Defendants", in Equity Docket A-3

1. The source of water is **Truckee River**
2. The amount of water to be changed **11.752 afa** and a prorata share of the **diversion rate**
3. The water to be used for **Municipal and Domestic**
4. The water heretofore permitted for **as Decreed**
5. The water is to be diverted at the following point **The points of diversion of Sierra Pacific Power Companys existing water treatment plants as deccribed in attached exhibit "A" and as shown on the map supporting Application No. 58882 on file with the Division of Water Resources, State of Nevada**
6. The existing permitted point of diversion is located within **NE¼ of the NW¼ of Section 19, T19N, R19E, MDM** or at a point from which the NW corner of Section 20, T19N, R19E MDM bears **S88°05' E** distance of **2620 feet**, Lake Ditch per Orr Ditch Decree (see map no. 11489 for existing point of diversion) and within the **SE¼ of the SE¼ of Section 11, T19N, R19E MDM** at a point from which the NW corner of Section 14, T19N, R19E MDM bears **S69°15'W** a distance of **3640 feet**, Cochran Ditch per Orr Ditch Decree.
7. Proposed place of use **Refer to Exhibit "B" and as shown on map that accompanied application No. 62141.**
8. Existing place of use **0.241 acres within the SW¼ NE¼ of Section 24, T19N, R19E, MDM 0.948 acres within the NE¼ NE¼ and 1.749 acres within the SE¼ NE¼ of Section 23, T19N, R19E, MDM. See attached EXHIBIT "C" for assessor's parcel numbers and acreage.**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **as decreed** to of each year.
11. Description of proposed works **Water will be diverted by existing Sierra Pacific Power facilities and placed into their water distribution system.**
12. Estimated cost of works **Completed**
13. Estimated time required to construct works **Completed**
14. Estimated time required to complete the application of water to beneficial use **Ten (10) years**

15. Remarks: Water being changed by this application will be banked with Sierra Pacific Power Company place of use for a project being developed by S & S Develpoers LLC. The project is a 111 unit Mobile Home subdivision called Tanaye Creek Subdivision.

By Roy H. Hibdon, P.E. #370
s/Roy H. Hibdon
1479 S. Wells Ave. #21
Reno, Nevada 89502

Compared jr/nsr lt/

Protested by Churchill County 5/21/99 wdn 07/22/99

Approval OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, manner of use, and place of use of a portion of the waters of the Truckee River as heretofore granted under a portion of Claims 454 and 455, and of a portion of Permit 11489, Certificate 4827, which changed the point of diversion of Claim Nos. 251 and 252, Truckee River Decree is issued subject to the terms and conditions imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein. A suitable measuring device must be installed and accurate measurements of water placed to beneficial use must be kept.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.055 cubic feet per second, **but not to exceed 11.82 acre-feet as decreed.**

Work must be prosecuted with reasonable diligence and be completed on or before:

N/A

Proof of completion of work shall be filed on or before:

N/A

Water must be placed to beneficial use on or before:

March 9, 2015

Proof of the application of water to beneficial use shall be filed on or before:

April 9, 2015

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 9th day of March A.D. 2005



State Engineer

Completion of work filed 3/12/1997 under 60929

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____

EXHIBIT "A"

The following describes the multiple points of division for Sierra Pacific Power Company Water Treatment Plants, which are shown on the map accompanying Application No. 58882 on file with the State of Nevada, Division of Water Resources, more particularly described as follows:

STEAMBOAT CANAL (HUNTER CREEK RESERVOIR):

The existing point of diversion is situate within the Northeast one-quarter of the Southwest one-quarter (NE1/4 SW1/4) of Section 31, T.19N., R.18E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Southeast corner of said Section 31 bears South 62°04' East, a distance of 3,195.00 feet.

HIGHLAND DITCH (HIGHLAND RESERVOIR):

The existing point of diversion is situate within the Southwest one-quarter of the Southeast one-quarter (SW1/4 SE1/4) of Section 9, T.19N., R.18E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Southeast corner of said Section 9 bears South 75°16' East, a distance of 1,650.00 feet.

IDLEWILD TREATMENT PLANT:

The existing point of diversion is situate within the Southeast one-quarter of the Southeast one-quarter (SE1/4 SE1/4) of Section 10, T.19N., R.19E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Southeast corner of said Section 10 bears South 69°57'58" East, a distance of 842.34 feet.

NORTH TRUCKEE DITCH (GLENDALE TREATMENT PLANT):

The existing point of diversion is situate within the Southwest one-quarter of the Northeast one-quarter (SW1/4 NE1/4) of Section 7, T.19N., R.20E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Northeast corner of said Section 7 bears North 39°28' East, a distance of 3,015.00 feet.

ORR DITCH PUMP STATION (CHALK BLUFF TREATMENT PLANT):

The point of diversion is situate within the Northeast one-quarter of the Southeast one-quarter (NE1/4 SE1/4) of Section 17, T.19N., R.19E., M.D.B.&M., Washoe County, Nevada from said point of diversion the Northeast corner of said Section 17 bears North 15°39'36" East, a distance of 3,264.77 feet.

ORR DITCH (CHALK BLUFF TREATMENT PLANT):

The point of diversion is situate within the Northeast one-quarter of the Southwest one-quarter (NE1/4 SW1/4) of Section 17, T.19N., R.19E., M.D.B.&M., Washoe County, Nevada from said point of diversion the Southwest corner of said Section 17 bears South 44°40' West, a distance of 3,211.00 feet.

EXHIBIT "B"
PROPOSED PLACE OF USE

| <u>DIVISION</u> | <u>SECTION</u> | <u>T-N</u> | <u>R-E</u> | |
|-----------------|----------------|------------|------------|-----------|
| ALL | 1-5 | 18 | 18 | M.D.B.&M. |
| E½ | 6&7 | 18 | 18 | M.D.B.&M. |
| ALL | 8-17 | 18 | 18 | M.D.B.&M. |
| E½ | 18&19 | 18 | 18 | M.D.B.&M. |
| ALL | 20-29 | 18 | 18 | M.D.B.&M. |
| E½ | 30&31 | 18 | 18 | M.D.B.&M. |
| ALL | 32-36 | 18 | 18 | M.D.B.&M. |
| ALL | 1-5 | 19 | 18 | M.D.B.&M. |
| E½ | 6&7 | 19 | 18 | M.D.B.&M. |
| ALL | 8-17 | 19 | 18 | M.D.B.&M. |
| E½ | 18&19 | 19 | 18 | M.D.B.&M. |
| ALL | 20-29 | 19 | 18 | M.D.B.&M. |
| E½ | 30&31 | 19 | 18 | M.D.B.&M. |
| ALL | 32-36 | 19 | 18 | M.D.B.&M. |
| ALL | 1-5 | 20 | 18 | M.D.B.&M. |
| E½ | 6&7 | 20 | 18 | M.D.B.&M. |
| ALL | 8-17 | 20 | 18 | M.D.B.&M. |
| E½ | 18&19 | 20 | 18 | M.D.B.&M. |
| ALL | 20-29 | 20 | 18 | M.D.B.&M. |
| E½ | 30&31 | 20 | 18 | M.D.B.&M. |
| ALL | 32-36 | 20 | 18 | M.D.B.&M. |
| ALL | 1-5 | 21 | 18 | M.D.B.&M. |
| E½ | 6&7 | 21 | 18 | M.D.B.&M. |
| ALL | 8-17 | 21 | 18 | M.D.B.&M. |
| E½ | 18&19 | 21 | 18 | M.D.B.&M. |
| ALL | 20-29 | 21 | 18 | M.D.B.&M. |
| E½ | 30&31 | 21 | 18 | M.D.B.&M. |
| ALL | 32-36 | 21 | 18 | M.D.B.&M. |
| ALL | 1-36 | 18 | 19 | M.D.B.&M. |
| ALL | 1-36 | 19 | 19 | M.D.B.&M. |
| ALL | 1-36 | 20 | 19 | M.D.B.&M. |
| ALL | 1-36 | 21 | 19 | M.D.B.&M. |
| ALL | 2-35 | 18 | 20 | M.D.B.&M. |
| W½ | 36 | 18 | 20 | M.D.B.&M. |
| ALL | 1-12 | 19 | 20 | M.D.B.&M. |
| ALL | 14-23 | 19 | 20 | M.D.B.&M. |
| ALL | 26-35 | 19 | 20 | M.D.B.&M. |
| ALL | 1-36 | 20 | 20 | M.D.B.&M. |
| ALL | 1-36 | 21 | 20 | M.D.B.&M. |
| ALL | 1-36 | 20 | 21 | M.D.B.&M. |
| ALL | 1-36 | 21 | 21 | M.D.B.&M. |

SEE SUPPORTING MAP ON FILE WITH APPLICATION NO. 62141

EXHIBIT "C"

| CLAIM NUMBER | A.P.N. | ACREAGE (ACRES) | DUTCY-AFA (AFA) | | SEC.,TOWN, RANGE |
|-----------------|------------|--------------------|----------------------|-------------|------------------|
| 251 / 455 | 020-011-10 | 0.241 | 0.964 | SW1/4 NE1/4 | 24 T19N , R19E |
| 252 | 019-041-26 | 0.138 | 0.552 | NE1/4 NE1/4 | 23 T19N , R19E |
| 252 | 019-041-24 | 0.138 | 0.552 | NE1/4 NE1/4 | 23 T19N , R19E |
| 251 / 455 | 019-041-05 | 0.268 | 1.072 | NE1/4 NE1/4 | 23 T19N , R19E |
| 251 / 455 | 019-042-21 | 0.155 | 0.620 | NE1/4 NE1/4 | 23 T19N , R19E |
| 251 / 455 | 019-043-11 | 0.249 | 0.996 | NE1/4 NE1/4 | 23 T19N , R19E |
| 251 / 455 | 019-151-20 | 0.357 | 1.428 | SE1/4 NE1/4 | 23 T19N , R19E |
| 251 / 455 | 019-191-18 | 0.240 | 0.960 | SE1/4 NE1/4 | 23 T19N , R19E |
| 251 / 455 | 019-191-16 | 0.181 | 0.724 | SE1/4 NE1/4 | 23 T19N , R19E |
| 251 / 455 | 019-192-17 | 0.217 | 0.868 | SE1/4 NE1/4 | 23 T19N , R19E |
| 251 / 455 | 019-193-18 | 0.207 | 0.828 | SE1/4 NE1/4 | 23 T19N , R19E |
| 251 / 455 | 019-192-11 | 0.217 | 0.868 | SE1/4 NE1/4 | 23 T19N , R19E |
| 251 / 455 | 019-193-03 | 0.330 | 1.320 | SE1/4 NE1/4 | 23 T19N , R19E |
| TOTAL | | 2.938 | 11.752 | | |

PREPARED BY:

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